

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

MARCUS CASTLEBERRY,) 2:09-cv-01936-LRH-PAL
Plaintiff,) ORDER
vs.)
BOLER, et al.,)
Defendants.)

The Court has considered the recommendation of U.S. Magistrate Judge Peggy A. Leen (#4) entered on April 14, 2010, in which the Magistrate Judge recommends that the instant action be dismissed without prejudice for failure to comply with Order (#2) in a timely manner. The Court has considered the pleadings and memoranda and other relevant matters of record and has made a review and determination in accordance with the requirements of 28 U.S.C. § 636 and applicable case law, and good cause appearing, the court hereby

ADOPTS AND ACCEPTS the recommendation of the U.S. Magistrate Judge (#4); therefore, this action is dismissed without prejudice for failure to comply with court Order (#2) and the Clerk of the Court shall enter judgment accordingly.

IT IS SO ORDERED.

DATED this 9th day of June, 2010.



LARRY R. HICKS
UNITED STATES DISTRICT JUDGE